

REGULAR meeting of the Board of Equal Rights Commission held TUESDAY, FEBRUARY 10, 2009 in Room 303 of the City Hall, Milwaukee, Wisconsin.

PRESENT: George Williams, III
Michael Barndt
Chris Her-Xiong
Ray Vahey
Renee Taylor
Genyne Edwards

Staff: Jennifer Mayer, Temporary Secretary to the Board
Maria Monteagudo, Employee Relations Director
Barbara Hobl-Cecil, Commission Stenographer
Heidi Galvan, Commission Attorney

The Commissioners were all sworn-in by James Owczarski, Deputy City Clerk, City Clerk's Office. The Commissioners introduced themselves and briefly described their background and experience.

Secretary Jennifer Meyer assumed the Chair at this point and called the meeting to order.

Nominations were requested for the positions of Equal Rights Commission (ERC) Chairperson and Vice-Chairperson. Secretary clarified that self-nominations were allowed.

Commissioner Taylor and Commissioner Williams each self-nominated for the position of Chairperson. There were an equal number of votes for each of the two final nominees. Commissioner Taylor withdrew and voted to support Commissioner Williams for Chairperson. Commissioner Williams was declared elected by a 4-2 vote.

Commissioner Barndt self-nominated for Vice-Chairperson. There were no further nominations. Commissioner Barndt was declared elected as Vice-Chairperson.

Chairperson Williams assumed the Chair for the remainder of the meeting.

ADOPTION OF EQUAL RIGHTS COMMISSION RULES AND REGULATIONS

The Chair inquired about additional agenda items. The Chair was advised that this was not permissible under Public Meetings and Public Records Laws.

The Commissioners discussed the number of times it intends to meet. The discussion included a suggestion that meetings be held every other month. Commissioner Barndt suggested that it may be difficult to determine the frequency of the meetings when the Commission is charged with a new agenda, reviewing Equal Rights related City programs and services. The Commission decided to attempt to coordinate the next meeting for the second week in March, and to meet every other month after that.

Commissioner Barndt moved to adopt the rules and regulations as submitted. Commissioner Her-Xiong inquired about times and length of the meetings and a discussion followed that concluded with a decision to incorporate time management strategies to keep length of meetings to a reasonable standard and to hold meetings in the afternoon. Assistant City Attorney Galvan informed the Commission that she had a conflict with meetings on Wednesday afternoons. The Commission agreed

that afternoons were more viable for meetings and decided to schedule meetings taking into consideration Ms. Galvan's availability.

The Equal Rights Commission rules and regulations were adopted.
(Commissioners Barndt/Her-Xiong, unanimous)

OVERVIEW OF PUBLIC MEETINGS AND PUBLIC RECORDS LAWS

Jim Owczarski from the City Clerk's Office and Melanie Swank from the City Attorney's Office presented an overview of Public Meetings and Public Records Laws. A handout was distributed by Attorney Swank (attached to the minutes).

The presentation included recognition of the fact that the Equal Rights Commission is a government body created by City Ordinance. The following issues were also presented and/or discussed:

- Requirements of the body to prepare and post agendas 48 hours in advance of meetings;
- Definition of a meeting includes whenever there is a quorum of Commissioners at any location;
- Description of agenda items should be enough to ensure public's awareness of items to be discussed;
- The use of email as a communication mechanism between Commission members and staff;
- State laws allows for a public comment section on meeting agendas but it does not require it;
- The circumstances under which the Commission can convene in closed session and the requirements to follow (agenda notice and voting requirements).

Attorney Swank also suggested a presentation at a future meeting regarding section 305-43-4 of the Milwaukee Code of Ordinances dealing with lobbyists and lobbying registration requirements.

REVIEW AND APPROVAL OF ERC EMPLOYMENT AND HOUSING DISCRIMINATION COMPLAINT FORM

The review of the Employment and Housing Discrimination Complaint form was laid-over to allow for legal review by the City Attorney's Office.

(Commissioners Valey/Her-Xiong, unanimous)

STAFF REPORT ON THE CITY OF MILWAUKEE ACCOUNTABILITY IN MANAGEMENT PROGRAM

Erick Shambarger from the Budget and Management Division presented an overview of the City's Accountability Management Program. The Accountability Management Program can be used as a resource by the Commission in assessing and monitoring City services and programs and their impact on equal rights issues and concerns.

Commissioner Barndt requested information about the availability of raw data and reports and made reference to the Baltimore CITYSTAT program and the availability of reports via the web. More information will be provided at a future ERC meeting.

UPDATE ON THE PAID SICK LEAVE ORDINANCE

Tom Miller from the City Attorney's Office presented an overview of the status of the Paid Sick Leave Ordinance. Mr. Miller indicated that on Friday, February 6, 2009, the temporary injunction requested by the Metropolitan Milwaukee Association of Commerce was granted. A hearing on the permanent injunction request has been scheduled for May 11, 2009. The judge has indicated that the decision will be made approximately two weeks after the hearing.

Maria Monteagudo, Department of Employee Relations Director, indicated that the City will continue to work with the City Attorney's Office to prepare the rules needed to enforce the ordinance and that ERC will have a role to play in adopting those rules. Additional information will be provided at the next meeting.

There being no further business, the meeting adjourned at 3:59 p.m.

(Commissioners Taylor/Vahey, unanimous)

ATTEST:

GEORGE WILLIAMS III
PRESIDENT

MARIA MONTEAGUDO
DIRECTOR, DER